

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 12-2039 (GAG)

**COMMONWEALTH OF PUERTO RICO,
et al.,**

Defendants.

ORDER

The parties' JOINT informative motion (Docket No. 699) is NOTED. The Court is troubled by the fact that the Commonwealth has not been responsive to the USDOJ's requests for information, likewise to that of the Monitor. Not even in a partial manner. This is inexcusable. The agreement in this case, as well as court orders make it pellucidly clear that such information when requested must be provided. Otherwise USDOJ as party to the agreement cannot analyze nor assess relevant matters of concern. In this same vein, the Monitor cannot provide technical support. Accordingly, the Commonwealth is hereby ORDERED to provide to USDOJ no later than Tuesday January 23, 2018 the information requested regarding the 20 areas clearly outlined in its motion at Docket 692. This deadline —an extension of that previously ordered— is carved in New Hampshire granite. The Court does not want excuses nor further non-compliance. Without said information USDOJ, the Court, and TCA cannot assist the Commonwealth in meeting its obligations under the agreement. The Commonwealth must also respond to the 19 areas outlined in the TCA's motion at Docket 691.

The Commonwealth also informs that it is in the process of developing an electronic timekeeping system. T'is a puzzlement why in 2018 this is still done manually (in due fairness this

Civil No. 12-2039 (GAG)

1 is a problem inherited by the current administration). Accordingly the Court, as it did in 16-2849
2 (GAG), hereby INSTRUCTS the Monitor to immediately assist PRPB on this matter. He may use
3 members of his core team such as IT expert Scott Cragg. He is also authorized to contract using
4 his budget any additional outside resource to assist in this matter, subject to final approval by the
5 undersigned.

6 Finally the Commonwealth informs that DSP is initiating an investigation “focused on
7 identifying violations by individual officers and systemic problems that contribute to officer
8 absenteeism.” The same is expected to take six months. Such lengthy investigation, while well-
9 intended and indeed warranted, can also have the undesired effect of stalling the Police Reform. It
10 could also take longer than estimated, given current government resources. Accordingly, the Court
11 hereby instructs USDOJ to assist in this matter (if necessary by assigning additional personnel), as
12 well as the Monitor. To the extent necessary the Monitor may contract using his budget the services
13 of additional personnel, upon court approval. The assistance and support of USDOJ and Monitor
14 staffs should allow the Commonwealth to expedite any issues and to guarantee that absenteeism
15 will not affect the implementation of the agreement.

16 One last caveat. The Court does not expect USDOJ nor Monitor to perform the work of
17 PRPB and DSP. Their role is to assist and support.

18 **SO ORDERED.**

19 In San Juan, Puerto Rico this 13th day of January, 2018.

20 *s/ Gustavo A. Gelpí*

21 GUSTAVO A. GELPI

22 United States District Judge